

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Damien Montgomery,)	
)	
Plaintiff,)	
)	C/A No. 3:16-cv-3234-TLW
v.)	
)	
Blackhawk Industrial Distribution, Inc.,)	
)	ORDER
Defendant.)	
_____)	

Plaintiff Damien Montgomery filed this action against his former employer, Blackhawk Industrial Distribution, Inc., asserting claims for race discrimination and retaliation. ECF No. 1. On April 20, 2018, Defendant filed a Motion for Summary Judgment. ECF No. 25. Plaintiff filed a response opposing the motion, ECF No. 32, to which Defendant replied, ECF No. 34.

This matter now comes before the Court for review of the Report and Recommendation (the Report) filed by United States Magistrate Judge Shiva V. Hodges, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(g), (D.S.C.). ECF No. 36. In the Report, the Magistrate Judge recommends granting summary judgment. *Id.* Objections to the Report were due on September 10, 2018. However, Plaintiff did not file objections to the Report. The Plaintiff has not rebutted or contested the detailed analysis set forth in that Report. The Report focusses on the evidence of poor work performance by the Plaintiff and notes that the Plaintiff “fails to provide any evidence of an inference of discrimination” and “has failed to provide any facts relevant to racial discrimination.” *Id.* at 8. This matter is now ripe for disposition.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Report and relevant filings. The Court notes that Plaintiff's response to summary judgment did not address his retaliation claim, and that Plaintiff concedes he has no direct evidence of discriminatory motive for his termination. Additionally, as the Magistrate Judge notes in the Report, Plaintiff does not contest all allegations regarding Defendant's dissatisfaction with his job performance. Further, the Court adopts the Magistrate Judge's careful factual and legal analysis concluding that Plaintiff failed to provide sufficient evidence of discrimination. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 36, is **ACCEPTED**, Defendant's motion for summary judgment, ECF No. 25, is **GRANTED**, and this case is **DISMISSED**.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

December 6, 2018
Columbia, South Carolina